PTO/SB/21 (02-04) Approved for use through 07/31/2006. OMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE and the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number **Application Number** 10/646,994 TRANSMITTAL Filing Date August 21, 2003 **FORM** First Named Inventor Heinz Willebrand et al. Art Unit 2633 (to be used for all correspondence after initial filing) **Examiner Name** Phan, Hanh Attorney Docket Number 81598 Total Number of Pages in This Submission **ENCLOSURES** (Check all that apply) After Allowance communication ~ Fee Transmittal Form Drawing(s) to Technology Center (TC) Appeal Communication to Board Licensing-related Papers Fee Attached of Appeals and Interferences Appeal Communication to TC Petition (Appeal Notice, Brief, Reply Brief) Amendment/Reply Petition to Convert to a Proprietary Information After Final Provisional Application Power of Attorney, Revocation Status Letter Affidavits/declaration(s) Change of Correspondence Address Other Enclosure(s) (please Terminal Disclaimer Extension of Time Request Identify below): Request for Refund PTO/SB/08A and PTO/SB/08B in duplicate, **Express Abandonment Request** 3 Cited References, Copy of Australian CD, Number of CD(s) Search Report, and Return Receipt Postcard. Information Disclosure Statement Remarks Certified Copy of Priority Document(s) Response to Missing Parts/ Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Richard E. Wawrzyniak, Esq. (Reg. No.: 36,048) Fitch, Even, Tabin & Flannery Individual name Signature Date September 29, 2004 CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name

Sara R. Hart

Signature

Date September 29, 2004

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PTO/SB/17 (10-03)
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ion Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEETRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27 (\$) 180.00**TOTAL AMOUNT OF PAYMENT**

OCT 0 1 2004

SUBMITTED BY

Name (Print/Type)

Signature

Complete if Known					
Application Number	10/646,994				
Filing Date	August 21, 2003	_			
First Named Inventor	Heinz Willebrand et al.	_			
Examiner Name	Phan, Hanh	_			
Art Unit	2633				
Attorney Docket No.	81598				

(Complete (if applicable))

Telephone 858-552-1311

METHO	OD OF PAY	MENT (check all that	apply)	FEE CALCULATION (continued)					
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Deposit A	Account:	Older	_	<u>Large</u>	Entity	Small			
Deposit Account	06-1135			Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
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Deposit Account	FITCH, EV	'EN, TABIN & FLAN	INERY	1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
Name U	authorized to	: (check all that apply)		1053	130	1053	130	Non-English specification	
	s) indicated be		verpayments	1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
	•	s) or any underpayment of	fee(s)	1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
Charge fee(s	•	low, except for the filing	fee	1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
to the above-ide	•	***		1251	110	2251	55	Extension for reply within first month	
4 54010 511		ALCULATION		1252	420	2252	210	Extension for reply within second month	
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Fee Fee F		Fee Description	Fee Paid	1254	1,480	2254	740	Extension for reply within fourth month	
	2001 385	Utility filing fee		1255	2,010	2255	1,005	Extension for reply within fifth month	
1002 340 2	2002 170	Design filing fee		1401	330	2401	165	Notice of Appeal	
1003 530 2	2003 265	Plant filing fee		1402	330	2402	165	Filing a brief in support of an appeal	
1004 770 2	2004 385	Reissue filing fee		1403	290	2403	145	Request for oral hearing	
1005 160 2	2005 80	Provisional filing fee		1451	1,510	1451	1,510	Petition to institute a public use proceeding	
	s	UBTOTAL (1) (\$)		1452	110	2452	55	Petition to revive - unavoidable	
2 EVIDA C		S FOR UTILITY AND	DEIGGLIE	1453	1,330	2453	665	Petition to revive - unintentional	
Z. EXIKA C	LAIIVI FEES	Fee from	m	1501	1,330	2501	665	Utility issue fee (or reissue)	
Total Claims		Extra Claims below	Fee Paid	1502	480	2502	240	Design issue fee	
Independent	-20*			1503	640	2503	320	Plant issue fee	
Claims Multiple Depen		"	-	1460	130	1460	130	Petitions to the Commissioner	
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Large Entity Fee Fee	Small Entity Fee Fee	Fee Description		1806	180	1806		Submission of Information Disclosure Stmt	180.00
Code (\$)	Code (\$) 2202 9	Claims in excess of 20		8021	40	8021	I 40	Recording each patent assignment per property (times number of properties)	
1202 18 1201 86	2202 9 2201 43		excess of 3	1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
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1204 86	2204 43	** Reissue independent over original patent	t claims	1801	770	2801	385	examined (37 CFR 1.129(b)) Request for Continued Examination (RCE)	
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September 29, 2004 WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Richard E. Wawrzyniak, Esq.

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Registration No.

36,048

ES PATENT AND TRADEMARK OFFICE **CERTIFICATE OF MAILING** Heinz Willebrand et al. I hereby certify that this paper is being Application No.: 10/646,994 deposited with the United States Postal Service with sufficient postage as first class Filed: August 21, 2003 mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on For: **HYBRID WIRELESS OPTICAL** this date. AND RADIO FREQUENCY COMMUNICATION LINK Date Group Art Unit: 2633 Examiner: Phan, Hanh

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

This In	itormation Disclosure Statement is submitted:
•	Under 37 CFR §1.97(b) before the mailing date of a first Office Action on the merits.
<u>X</u>	Under 37 CFR §1.97(c) together with either: a statement under 37 CFR §1.97(e), or X a fee under 37 CFR §1.17(p) (after the 37 CFR §1.97(b) time period, but before the mailing date of a final Action, a Notice of Allowance, or an action that otherwise closes prosecution).
commu	Statement under 37 C.F.R. § 1.97(e)(1): The undersigned states that each item of ation contained in the information disclosure statement was first cited in a unication from a foreign patent office in a counterpart foreign application not more ree months prior to the filing of this information disclosure statement.

10/04/2004 RFEKADU1 00000011 061135 10646994

Page 1 of 2

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Supplemental Information Disclosure Statement U.S. App. No. 10/646,994

In accordance with the duty of disclosure imposed by 37 CFR § 1.56 to inform the Patent Office of all patents, publications, applications and other information known by Applicants or Applicants' representative that may be material to the examination of the subject application, Applicants' representative hereby provides this Information Disclosure Statement that is prepared in accordance with 37 CFR §§ 1.97-1.98 and includes Form PTO/SB/08A and PTO/SB/08B with five (5) references listed as items AA-AE.

Items AA and AB listed on the enclosed form PTO/SB/08A are not enclosed, in accordance with the waiver of the requirement of 37 C.F.R. § 1.98(a)(2)(i) for submitting a copy of each cited U.S. patent and U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003 that appears in the Official Gazette Notice (Week No. 31) dated August 5, 2003 and entitled "Information Disclosure Statements May Be Filed Without Copies of U.S. Patents and Published Applications in Patent Applications Filed After June 30, 2003".

Concise Explanation of Relevance

Item AE is an Australian Examiner's first report that was issued in the Australian patent application corresponding to U.S. App. No. 09/482,782, now U.S. Patent No. 6,763,195, which is the parent application hereto. A copy of the claims to which the Australian Examiner's first report refers to is also included therewith. The Australian Examiner's first report refers to Items AC and AD, as well as Item ED of the IDS mailed to the USPTO on February 13, 2004.

Items AC and AD are referred to in Item AE.

It is requested that the information provided herein be made of record in this application.

Respectfully submitted,

Dated:

Richard E. Wawrzyniak

Attorney for Applicant(s)

Reg. No. 36,048

Address all Correspondence to:

FITCH, EVEN, TABIN & FLANNERY 120 So. LaSalle Street Suite 1600

Chicago, IL 60603

Telephone: (858) 552-1311 Facsimile: (858) 552-0095

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Substitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

	(Use as many s	Examiner Name		
Sheet	1	of	2	Attorney Docket Number

Complete if Known					
Application Number	10/646,994				
Filing Date	August 21, 2003				
First Named Inventor	Heinz Willebrand et al.				
Art Unit	2633				
Examiner Name	Phan, Hanh				
Attorney Docket Number	81598				

Examiner Cite Initials* No.1		Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant	
	1.0.	Number-Kind Code ^{2 (If known)}	55	7 phoenic of Grood Boodinions	Figures Appear	
	AA	^{US-} 6,763,195 B1	07-13-2004	Heinz Willebrand et al.		
	AB	^{US-} 2002/0152320 A1	10-17-2002	Pui Lun Lau		
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Cite No.1	Foreign Patent Document	Publication Date	Name of Patentee or	Pages, Columns, Lines, Where Relevant Passages	
	Country Code ³ Number ⁴ Kind Code ⁵ (if known)	MM-DD-YYYY		Or Relevant Figures Appear	Т
AC	WO 99/05802	02-04-1999	Nan Zhang et al.		
AD	GB 2297668 A	08-07-1996	Shingo Mizuno		
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	No.1	Cite No.1 Country Code3 Number 4 Kind Code5 (# known) AC WO 99/05802	Cite Foreign Patent Document Publication Date MM-DD-YYYY	No.1 Date MM-DD-YYYY AC WO 99/05802 Date MM-DD-YYYY 02-04-1999 Nan Zhang et al.	Cite No. 1 Country Code 3 Number 4 Kind Code 5 (if known) AC WO 99/05802 Publication Date MM-DD-YYYY Publication Date MM-DD-YYYY O2-04-1999 Nan Zhang et al. Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear

Examiner	 Date	•	
Signature	Conside	red	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. Senter Office that issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. Applicant is to place a check mark here if English language Translation is attached.

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If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

PTO/SB/08B (08-03)

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Substitut	te for form 1449/PTO				Complete if Known		
Substitute for form 1990/110		Application Number	10/646,994				
INFO	DRMATION	I DIS	CLOSURE	Filing Date	August 21, 2003		
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	(Use as many sheets as necessary)			Art Unit	2633		
(ose as many should as hoursally)		Examiner Name	Phan, Hanh				
Sheet	2	of	2	Attorney Docket Number	81598		

		NON PATENT LITERATURE DOCUMENTS	
Examiner Initials*	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	AE	AUSTRALIAN PATENT OFFICE, "Examiner's first report on patent application no. 2001252868 by LightPointe Communications, Inc.", dated May 19, 2004, for Application No. 2001252868, with copy of examined claims, 11 pages.	

Examiner	 Date	
Signature	 Considered	

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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